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Security Council

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Statement by the President of the Security Council

At the 6705th meeting of the Security Council, held on 19 January 2012, in connection with the Council's consideration of the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council recognizes the need for universal adherence to and implementation of the rule of law and emphasizes the vital importance it attaches to promoting justice and the rule of law as an indispensable element for peaceful coexistence and the prevention of armed conflict.

"The Security Council reaffirms its commitment to international law and the Charter of the United Nations, and to an international order based on the rule of law and international law, which are essential for cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security.

"The Security Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter of the United Nations. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work. To this end the Council calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.

"The Security Council reiterates its concern over the devastation and suffering caused by armed conflict and emphasizes the need to prevent conflict and, where conflict has already broken out, to restore peace and security. The Council acknowledges that political will and the concerted efforts of both national governments and the international community are critical to preventing conflict and achieving success in the restoration of and respect for the rule of law.

"The Security Council reiterates its concern about the situation of the most vulnerable in societies affected by armed conflict, including women and children as well as other vulnerable groups and displaced persons. The Council expresses particular concern about sexual and gender-based violence in

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conflict situations and recalls in this regard resolution 1325 (2000) and other relevant resolutions.

"The Security Council reaffirms that sustainable peace requires an integrated approach based on coherence between political, security, development, human rights, including gender equality, and rule of law and justice activities. In this regard the Council emphasizes the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peace building.

"The Security Council recognizes the importance of national ownership in rule of law assistance activities, strengthening justice and security institutions that are accessible and responsive to citizens' needs and which promote social cohesion and economic prosperity. In this regard, the Council takes note of the initiatives being taken by some conflict-affected countries to help ensure national ownership in rule of law assistance activities and improve the quality of support to those countries.

"The Security Council recognizes the need for enhanced efforts aimed at capacity building in justice and security institutions, especially in the police, prosecutorial, judicial and corrections sectors. In this regard, the Council notes the need for increased efforts to ensure that conflict-affected countries are able to access a broad range of relevant expertise, in particular from developing countries, in order to effectively build the capacity of justice and security institutions.

"The Security Council welcomes efforts by the Rule of Law Unit and the Rule of Law Coordination and Resource Group within existing mandates and encourages further efforts to ensure greater coordination and coherence in rule of law activities in conflict-affected societies. To this end the Council requests that the Secretary-General continues his efforts to further clarify roles and responsibilities within the UN system for specific rule of law activities, based on assessments of agencies' respective strengths and capacities, to ensure more effective delivery of support to conflict-affected countries.

"The Security Council notes with concern that transnational organised crime and drug trafficking can pose serious threats to international security in different regions of the world, notes also that these transnational crimes may threaten the security of countries on its agenda, including post-conflict states, encourages the coordination of United Nations actions as well as Member States' actions in fighting these threats through implementation of national and international applicable norms, relevant international long-term capacity-building efforts and regional initiatives.

"The Security Council reiterates its call on all parties to armed conflict to comply with the obligations applicable to them under international humanitarian law and to take all required steps to protect civilians and recalls in this regard resolution 1894 (2009).

"The Security Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against

humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation.

"The Security Council recalls the Statement by its President on 29 June 2010 (S/PRST/2010/11) which included the contribution of the International Criminal Court, ad hoc and mixed tribunals, as well as chambers in national tribunals to the fight against impunity for the most serious crimes of concern to the international community. In this regard, the Council reiterates its previous call on the importance of State cooperation with these Courts and Tribunals in accordance with the states' respective obligations.

"The Security Council reaffirms that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia including hostage-taking negatively affects the rule of law, and recalls its decision contained in resolution 2015 (2011) to continue consideration, as a matter of urgency, without prejudice to any further steps to ensure that pirates are held accountable, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support.

"The Security Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and implemented by Member States. The Council remains committed to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions.

"The Security Council looks forward to the High Level meeting on the Rule of Law at the National and International Levels to be held on 24 September 2012 and notes with appreciation the intention to extend an invitation to the President of the Council to participate in the event.

"The Security Council requests the Secretary-General to provide a follow-up report within 12 months to consider the effectiveness of the UN system's support to the promotion of the rule of law in conflict and post-conflict situations."